

**TOWN OF FARMINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
Monday, September 12, 2011
356 Main Street, Farmington, NH**

Selectmen Members Present: Paula Proulx, Charlie King, Gerry McCarthy, Joan Funk and Jim Horgan

Town Staff Present: Interim Town Administrator Gary Stenhouse, Water/Sewer Superintendent Dale Sprague, Police Chief Scott Roberge, Officer Colin Wheeler and Sgt. Scott Ferguson.

Public Present: Neil Johnson, Gordon Lubbers, Dennis McCann and Gary Mosher.

Chairman King called the meeting to order at 6:00pm.

1. Police Commendations:

Police Chief Scott Roberge awarded the Medal of Honor to Officer Colin Wheeler and Sgt. Scott Ferguson for saving the lives of three citizens involved in a terrible car accident.

Chairman King recessed the meeting until 6:30pm.

Chairman King called the meeting back to order at 6:30pm.

2. Public Comment:

A. Neil Johnson of Hornetown Road stated that he recently found out the SAU has decided to terminate the lease of the upstairs of the Municipal Building and since a contract has been signed he would like to request the non-public minutes regarding the lease be unsealed. *Gerry McCarthy motioned to unseal all the non-public minutes regarding any discussion on the SAU lease, 2nd Joan Funk. Motion carried with all in favor.* Mr. Johnson asked if anyone has done an estimate what it will cost the Town for the SAU to move. Gerry stated he estimates the amount at \$80,000 with the moving expenses at \$1,200, internet costs, the loss of the lease payment to the town in excess of \$46,000 and additional utilities and repair costs. Charlie stated that the counter offer to the school offered a lease payment of \$26,400 plus utilities. Gerry asked Gary Stenhouse if he could get a copy of the signed lease.

Gerry then stated he is concerned about how the vote at the school board meeting to approve the new lease was taken because there were only two Farmington school board members present and there was not a vote taken prior to have a weighted vote. Also, the noted Board members were the ones who motioned (Penny Morin) and seconded (Joe Pitre) the motion to approve the lease. Paula commented this Board informed the school department numerous times of the additional costs to the town that would be incurred if the

SAU was to move. The SAU has cost the town a significant amount of money that will not impact the children and the money they are using to pay the moving and restoration costs are coming from the unexpected fund balance which is costing the town additional monies because those are funds that would have come back to the town to buy down the taxes. Gerry added that Dr. Mellaci, Superintendent, stated that their biggest concern was the lack of meeting space but there are three schools available for this purpose.

B. Gordon Lubbers informed the Board that he is still awaiting a response from the Board regarding the maintenance of his road. Gary took his information and will contact him on Tuesday with a response.

3. **Review of Minutes:**

A. *Paula Proulx motioned to table the minutes till later in the evening, 2nd Joan Funk. Motion carried with all in favor.*

4. **Possible CDBG for Winnisquam Wood Products:**

A. Dennis McCann explained that Winnisquam Wood Products is looking to expand their Farmington site which would create 12 new jobs and retain 10 jobs. They would like to know if the Town would be willing to sponsor a CDBG grant for them like the Town did with SAMCO. There is no cost to the town and the only liability is if the town itself spends the funds inappropriately. The cost to hire an administrator for the grant can be paid out of the grant funds. Charlie asked what liability the town would have if the payments defaulted and Dennis explained there would be no liability to the town whatsoever. The Board was in consensus to move forward with sponsoring a CDBG grant for Winnisquam Wood Products.

5. **Discussion of Green Street Parking Lot Lease:**

A. The current lease is for \$2,300 and requires a 60 day notice to terminate. Originally the lease was taken because the Town needed to provide parking spaces for the SAU business and employees. Jim stated he would like to wait before making a decision to terminate the lease to give the Board the opportunity to discuss the future use of the upstairs.

6. **Water Sewer Department:**

A. Allocation of costs for structures ineligible for CDBG Sewer Remediation – Gary informed the Board that there are eleven properties that are not eligible for CDBG monies for their sewer improvements. Charlie asked if betterment assessments would be appropriate where the homeowners would make payments to the town for the necessary improvements. Dale stated that one of the properties is an apartment building that would most likely be eligible for the CDBG funding if the lot owner did due diligence and applied for the grant. It was noted that several of the eleven property owners have not responded at all though they would probably be eligible for CDBG funding.

Dale explained there are several options available at this point. The town can do nothing and not do the repairs, or do the repairs out of the sewer fund and not recoup the cost or do the repairs and recoup the cost through something like a betterment assessment. Paula asked if a betterment assessment forces the easement and Gary said no. Gerry asked Dale if some of the repairs can be done without going into the easements and Dale replied yes, but he was hoping to not have to dig up Main Street and Central Street. Gary will contact Legal to find out the specifics of a betterment assessment and get back to the board.

7. Request to Withdraw Funds from the Personnel Separation Account:

Jim Horgan motioned to authorize the withdrawal of \$6065.61 from the Personnel Separation Trust Fund, 2nd Joan Funk. Motion carried with all in favor. These funds will reimburse the town for funds already paid out to employees who are no longer employed with the town.

8. Request to Remove Stone Wall on 176 Bay Road:

The owner of 176 Bay Road, Diana Johnson, requested in permission (in writing) to remove a stonewall in front of her home. This stonewall is not in good condition and more a disarray of various stones and stumps. Gary suggested if the Board grants the permission for the wall to be removed then some other type of marker be placed to mark the property line. Gerry stated he would like to table the decision so that he can go up and look at the property and wall. *Joan Funk motioned to table the decision, 2nd Gerry McCarthy. Motion carried with all in favor.*

9. Consent Agreement for Landfill Closure With NHDES:

Gary suggested the Board consent to sign the Administrative Order by Consent and authorize him to apply for a four month extension of the landfill. *Jim Horgan motioned to authorize Gary Stenhouse, Interim Town Administrator, to sign the Administrative Order by Consent and apply for a four month extension of the landfill, 2nd Joan Funk. Motion carried with all in favor.*

10. ARRA Award for Municipal Building Weatherization:

Gary reviewed the prices for the windows, insulation and weatherization projects for the municipal building. This project is 100% grant funded. Joan stated that there should be no lead paint in the building as the SAU had work done several years ago. Gary stated he would try to get confirmation on this work. *Jim Horgan motioned to authorize Gary Stenhouse, Interim Town Administrator, to enter a contract with Granite State Glass for \$26,975 plus the cost of lead paint removal if needed, 2nd Joan Funk. Motion carried with all in favor.* *Jim Horgan motioned to authorize Gary Stenhouse, Interim Town Administrator, to enter a contract with Chris Plastering and Insulation for \$4,300, 2nd Joan Funk.* Discussion followed where Gerry suggested that the ceiling tiles (that are in need of replacement) be replaced before the insulation is put in. *Motion carried with all in favor.*

11. Any Other Business to Come Before the Board:

- A. Scott Hazelton forwarded a memo to the Board regarding a citizen's complaint on Sheepboro Road. Paula noted that she visited the property at the request of the property owner Dick Maynard and discovered that Mr. Maynard is trying to get his property on the historical places list and making any significant changes might be detrimental to this process. *Jim Horgan motioned to table the discussion to give Board members the opportunity to visit the property and research the history of the property, 2nd Gerry McCarthy. Motion carried with all in favor.*
- B. Gary asked what the Board would like to do with the October 10, 2011 meeting that he will not be available for. The Board decided to schedule this meeting for October 13, 2011.
- C. Charlie informed the Board that he was contacted by a citizen who was upset because he had been declined permission to have a boot drive though the fire department just held one. The Board discussed that they were unaware of this request for a boot drive. Gary will contact the representative from the American Legion to inform them they can hold their poppy drive at the landfill. *Jim Horgan motioned to approve the use of the landfill by the American Legion for a poppy drive if they seek the use and meet the requirements of the Facilities Use, 2nd Gerry McCarthy. Motion carried with all in favor.*
- D. Charlie informed the Board that the town is eligible for FEMA reimbursement regarding work/damage related to Hurricane Irene. Gary stated the department heads are currently working on the application and Paula asked if the Board could get a summary of what will be included on the application for reimbursement.
- E. *Jim Horgan motioned to authorize the Chair to sign the Notice of lien for volume number 2831 page 0481, 2nd Gerry McCarthy. Motion carried with all in favor.*

8. Review of Minutes:

- A. *Joan Funk motioned to accept the non-public minutes of August 8, 2011 part A as written, 2nd Jim Horgan. Motion carried with all in favor.*
- B. *Joan Funk motioned to accept the public minutes of August 22, 2011 as amended, 2nd Charlie King. Motion carried with all in favor.*
- C. *Joan Funk motioned to accept the non-public minutes of August 22, 2011 part A as written, 2nd Jim Horgan. Motion carried with all in favor.*
- D. *Joan Funk motioned to accept the non-public minutes of August 22, 2011 part B as written, 2nd Jim Horgan. Motion carried with all in favor.*
- E. *Joan Funk motioned to accept the non-public minutes of August 22, 2011 part C as written, 2nd Jim Horgan. Motion carried with all in favor.*
- F. *Joan Funk motioned to accept the non-public minutes of August 22, 2011 part D as written, 2nd Jim Horgan. Motion carried with all in favor.*
- G. *Joan Funk motioned to accept the non-public minutes of August 22, 2011 part E as written, 2nd Jim Horgan. Motion carried with all in favor.*

- H. Joan Funk motioned to accept the public minutes of August 29, 2011 as written, 2nd Jim Horgan. Motion carried with all in favor.*
- I. Joan Funk motioned to accept the non-public minutes of August 29, 2011 part A as written, 2nd Jim Horgan. Motion carried with all in favor.*

At 8:22pm, Charlie King motioned to go in non-public session under RSA 91A.3.II (a), 2nd Jim Horgan. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 8:35pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 8:35pm, Jim Horgan motioned to go in non-public session under RSA 91A.3.II (a) and (c), 2nd Gerry McCarthy. Roll call – Charlie King (yes), Paula Proulx (yes), Gerry McCarthy (yes), Joan Funk (yes) and Jim Horgan (yes).

At 9:02pm the Board came back into session and Charlie announced the non-public minutes were sealed with a unanimous vote.

At 9:02pm, Gerry McCarthy motioned to adjourn, 2nd Joan Funk. Motion carried with all in favor.

Respectfully Submitted,

Brandy Sanger

Recording Secretary

Chairman Charlie King

Jim Horgan

Joan A. Funk

Gerald McCarthy

Paula Proulx

